

Message Text

SECRET

PAGE 01 GENEVA 01512 01 OF 02 021333Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----021342 112214 /42

P 021252Z MAR 77
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 5575
INFO AMEMBASSY TOKYO
AMEMBASSY KUALA LUMPUR
AMEMBASSY SINGAPORE
AMEMBASSY JAKARTA

S E C R E T SECTION 1 OF 2 GENEVA 1512

EXDIS

NOFORN

DEPT PASS OSD AND JCS

EO 11562: GDS
TAGS: PLOS
SUBJ: LOS - STRAITS AND JAPAN

1. SUMMARY: JAPANESE DEL INFORMED US OF CURRENT PLAN TO
EXTEND TERRITORIAL SEA TO 12-MILES, EXCEPT IN QTE 4 OR
5 UNQTE STRAITS. MOREOVER, DOMESTIC POLITICAL PRESSURE
MAY RPT MAY FORCE GOJ TO PROPOSE AMENDMENTS TO LOS STRAITS
ARTICLES PROHIBITING OVERFLIGHT, SUBMERGED PASSAGE, AND
NUCLEAR WEAPONS. THIS COULD OCCUR WHETHER OR NOT USG IS
SUCCESSFUL IN PREVENTING AMENDMENTS FROM STATES BORDERING
MALACCA STRAITS, BUT SUCCESS MIGHT HELP PREVENT GOJ
AMENDMENTS. MATTER RAISED IN CONFIDENCE WITH U.S.; WE
WERE REQUESTED NOT TO RAISE IT WITH OTHERS IN G-5. END
END SUMMARY.

2. AMB FUJISAKA (HEAD OF JAPANESE LOS DEL), ACCOMPANIED
SECRET

SECRET

PAGE 02 GENEVA 01512 01 OF 02 021333Z

BY KOIKE (WHO IS ON INTERNATL TASK FORCE ON TERRITORIAL SEA)
INVITED USDEL VICE-CHAIRMAN OXMAN TO LUNCH MARCH 1, AND
RAISED QUESTION OF EXTENSION OF JAPANESE TERRITORIAL SEA
AND STRAITS QTE SO THAT YOU WON'T BE SURPRISED UNQTE.

3. TERRITORIAL SEA. GOJ HAS TAKEN DECISION TO EXTEND
TERRITORIAL SEA TO 12-MILES, IN RESPONSE TO PRESSURE FROM

LOCAL FISHERMEN. THERE IS NO PLAN TO EXTEND FISHERIES JURISDICTION UNTIL MATTERS ARE SETTLED WITH USSR; MOREOVER, GOJ DOES NOT WISH TO UPSET ARRANGEMENTS WITH PRC. REASON FOR EXTENDING TERRITORIAL SEA RATHER THAN DECLARING FISHING ZONE IS THAT THERE IS NO TRADITION OF PERMITTING FOREIGN FISHING IN TERRITORIAL SEA, AND JAPANESE FISHERMEN WANT SOVIETS EXCLUDED. OXMAN SAID HE DID NOT EXPECT US POSITION TO CHANGE ON ISSUE, AND NOTED THAT HE HAD MADE RELEVANT ARGUMENTS WITH MR. MAW IN TOKYO IN THIS REGARD. HE NOTED IRONY THAT OTHER COSTAL STATES WITH LESS INCENTIVE HAD TAKEN CARE TO MAKE SOME PROVISION FOR FOREIGN FISHING IN THEIR EXTENSIONS OF JURISDICTION.

4. EFFECT OF TERRITORIAL SEA EXTENSION IN STRAITS. GOJ HOPES TO PROVIDE IN LAW THAT TERRITORIAL SEA WOULD NOT BE EXTENDED BEYOND 3 MILES IN QTE 4 OR 5 UNQTE STRAITS, THUS PRESERVING HIGH SEAS PASSAGES. THIS WOULD BE TEMPORARY MEASURE PENDING LOS TREATY. HOWEVER, OPPOSITION IS CHARGING THAT THIS IS A SUBTERFUGE TO EVADE THE THREE NUCLEAR PRINCIPLES FUNDAMENTAL TO JAPANESE POLICY, IN PARTICULAR THE PRINCIPLE ON NON-INTRODUCTION OF NUCLEAR WEAPONS INTO JAPAN. OXMAN INQUIRED IF IT WOULD NOT BE IN MUTUAL INTERESTS TO REFER ONLY TO QTE STRAITS USED FOR INTERNATIONAL NAVIGATION UNQTE IN LEGISLATION, AND NAME STRAITS IN LEGISLATIVE HISTORY, IN ORDER NOT TO ENCOURAGE LISTING APPROACH AT LOS CONFERENCE AND ALSO IN LIGHT POTENTIAL INDONESIAN DESIRE TO MAKE EXCLUSIVELY UNILATERAL DETERMINATION OF ARCHIPELAGIC PASSAGE ROUTES. IF WE WERE TALKING ABOUT THE SAME 4 OR 5 STRAITS, IT WOULD NOT BE SECRET

SECRET

PAGE 03 GENEVA 01512 01 OF 02 021333Z

NECESSARY FOR THE USG TO COMMENT ON THE LIST.

5. LOS STRAITS ARTICLES. FUJISAKI SAID PROPOSED LEGISLATION AND STRAITS EXCLUSION HAS FOCUSSED POLITICAL ATTENTION ON DRAFT LOS STRAITS ARTICLES IN RSNT. IN ONE STRAIT, LESS THAN SIX-MILES WIDE, RSNT WOULD GRANT RIGHT OF OVERFLIGHT WHERE NONE EXISTS NOW, AND JDA CONCERNED. POLITICAL PRESSURE IS INCREASING ON GOJ TO PROPOSE AMENDMENTS TO LOS STRAITS ARTICLES EXCLUDING OVERFLIGHT, SUBMERGED PASSAGE, AND NUCLEAR WEAPONS. FOREIGN MINISTRY HAS TRIED TO USE MALACCA STRAITS ARGUMENT AGAINST SUCH ACTION, BUT IS HAVING DIFFICULTY. IT WOULD STILL HELP IF US WERE SUCCESSFUL IN GETTING MALACCA STRAITS STATES NOT TO PRESS AMENDMENT TO STRAITS ARTICLES, BUT GOJ MIGHT

NOTE BY OC/T: NOT PASSED OSD AND JCS.

SECRET

NNN

SECRET

PAGE 01 GENEVA 01512 02 OF 02 021339Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----021341 112315 /41

P R 021252Z MAR 77
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 5576
INFO AMEMBASSY TOKYO
AMEMBASSY KUALA LUMPUR
AMEMBASSY SINGAPORE
AMEMBASSY JAKARTA

S E C R E T SECTION 2 OF 2 GENEVA 1512

NOFORN/EXDIS

DEPARTMENT PASS OSD AND JCS

STILL BE FORCED TO GO AHEAD. HE SAID THIS IS IRONIC,
BECAUSE AGREEMENT IN PRINCIPLE HAS NOW BEEN REACHED ON
3.5 METERS UNDERKEEL CLEARANCE, AND ONLY ISSUE TO RE-
SOLVE IS TRANSITION PERIOD. FOREIGN MINISTRY WOULD PRESS
VERY HARD TO DEFER THESE PRESSURES PENDING LOS TREATY,
AND WILL WORK TO CONCLUDE LOS CONFERENCE SUCCESSFULLY THIS
SUMMER.

6. OXMAN SAID AMB. FUJISAKI COULD WELL IMAGINE OUR RE-
ACTION, AND HOPED JAPANESE AUTHORITIES DID NOT UNDER-
ESTIMATE EFFECT ON CONFERENCE OF POSSIBLE JAPANESE AMEND-
MENTS, EVEN IF NOT PRESSED. HE WONDERED PERSONALLY ABOUT
JDA PREOCCUPATION WITH SOVIET USE OF JAPANESE STRAITS, AS
MAIN JAPANESE SECURITY INTEREST AFFECTED BY NAVIGATION
REGIMES IS WESTERN STRENGTH TO THE WOUTH AND SOUTHWEST OF
JAPAN, AND RISK OF AN ECONOMIC AND MILITARY SQUEEZE. IT
IS FANTASTIC TO BELIEVE THAT MAIN RISK OF POTENTIAL
IMPLEMENTATION OF ANTI-JAPANESE SOVIET POLICY WOULD BE
ATTACK ON JAPAN DURING PRETENSE OF EXERCISING PEACEFUL
SECRET

SECRET

PAGE 02 GENEVA 01512 02 OF 02 021339Z

TRANSIT THROUGH NARROW STRAIT. OXMAN ALSO NOTED POSSIBILITY
THAT RETENTION OF SUITABLE HIGH SEAS ROUTES THROUGH MAIN

JAPANESE STRAITS COULD AFFECT APPLICABILITY OF STRAITS ARTICLES ELSEWHERE OFF JAPAN IN MANNER THAT MIGHT SOLVE SOME GOJ PROBLEMS, BUT ISSUE SHOULD NOT BE RAISED PUBLICLY. IN ANY EVENT, CLEAR POLITICAL PREFERENCE OF FOREIGN STATES WOULD BE TO USE THE HIGH SEAS ROUTES WHETHER OR NOT THEY AGREED WITH GOJ LEGAL POSITION ON OTHER ROUTES, PROVIDED THE NUMBER, LOCATION AND NATURE OF HIGH SEAS ROUTES WERE SUFFICIENT.

7. OXMAN INQUIRED IF PRIME MINISTER PLANNED TO RAISE ISSUE WITH PRESIDENT. AMB. FUJISAKI DOUBTED THIS, BUT SAID FOREIGN MINISTER IS FULLY FAMILIARY WITH ALL DETAILS.

8. OXMAN TOOK OCCASION TO NOTE RECENT OIL SPILLS OFF COAST OF US, BILLS THAT HAD BEEN INTRODUCED AS RESULT AND FACT THAT PRESIDENT CARTER HAD ORDERED A TASK FORCE REPORT WHICH HE WOULD PROBABLY BE CONSIDERING SHORTLY. DURING COURSE OF PUBLIC DISCUSSIONS, OF PROBLEMS, SOME US ENVIRONMENTALISTS ARGUED FOR BROADER COAST STATE ENVIRONMENTAL CONTROLS THAN ARE IN RSNT. CATTO

SECRET

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TERRITORIAL SEA LIMIT, TWELVE MILE LIMIT
Control Number: n/a
Copy: SINGLE
Sent Date: 02-Mar-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GENEVA01512
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770071-1069
Format: TEL
From: GENEVA
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197703102/aaaadmai.tel
Line Count: 190
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ac4c88ac-c288-dd11-92da-001cc4696bcc
Office: ACTION SS
Original Classification: SECRET
Original Handling Restrictions: EXDIS, NOFORN
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: EXDIS, NOFORN
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2942980
Secure: OPEN
Status: NATIVE
Subject: LOS - STRAITS AND JAPAN
TAGS: PLOS
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/ac4c88ac-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009